

## **NOTICE OF ACCESS TO PUBLIC RECORDS OF THE DEPARTMENT OF CORPORATIONS**

Government Code Section 6253 specifies that every person has the right to inspect public records maintained by any state or local agency.

The records maintained by the Department of Corporations (Department) which are subject to public inspection are described in Rule 250.9.1, Title 10, Chapter 3, California Code of Regulations. These records may be inspected at any office of the Department during regular business hours at the office at which they are located. Referenced material relating to these guidelines is as follows: Corporations Code Sections 25617 and 31505; Government Code Sections 6253, 6253.1 and 6254; and Rules 250.9 through 250.10.5, 260.608, 260.617 and 310.505, Title 10, California Code of Regulations.

Certain records maintained by the Department are not public records and are therefore exempt from public disclosure. Such records include those pertaining to ongoing litigation to which the Department is a party, personnel files, and interagency and intra-agency communications.

Additionally, in disclosing its records to members of the public, the Department is required to comply with state and federal laws pertaining to information privacy, including the California Information Practices Act of 1977 (Civil Code Section 1798, et seq.) and the Federal Privacy Act of 1974 (5 U.S.C.S. 552a). As a result, certain personal information collected and/or maintained by the Department pertaining to the Department's employees and licensees is confidential and not subject to public disclosure. The Department's Privacy Policy is available on its web site at [www.corp.ca.gov](http://www.corp.ca.gov).

The Department maintains a central index of persons who have filed applications under various laws administered by the Department. The file of a particular person will ordinarily be located in the office which processed the application. Information as to the existence and location of files and requests for inspection of a public record maintained by the Department may be made at the public information counters at any of the Department's offices. See Rule 250.9.1. Contact the Department to make advance arrangements:

Sacramento	(916) 445-7205
Los Angeles	(213) 576-7505
San Francisco	(415) 557-3787
San Diego	(619) 525-4233

If the material requested involves a matter being processed at the time the request for inspection is received, inspection will be arranged on a basis which will not interfere with the processing of the matter by the Department.

## **Public Inspection of Records**

During the regular business hours of the Department, members of the public may inspect the documents on file in the Department which are specified in Section 250.9.1 as being subject to public inspection and are not exempt from disclosure or otherwise confidential. Copies of such documents, either uncertified or certified under the seal of the Commissioner of Corporations (Commissioner), will be furnished to any person making a request therefor and paying the appropriate fee. See Rules 260.608 and 260.617.

## **Records Subject to Public Inspection**

The public records that are subject to public inspection are the following records that are filed with, retained by, or prepared by the Department pursuant to the statutes administered by the Commissioner, subject to exemption and privacy considerations as discussed above. See Rule 250.9.1:

- (a) All applications, amendments, supplements and exhibits thereto, filed for any qualification, registration, order, permit, certificate, license, consent or other authority including correspondence between the parties and the Commissioner directly relating thereto. Financial statements, reports, advertising, and correspondence between the parties and the Commissioner directly relating thereto.
- (b) All orders, permits, certificates, licenses, consents or other authority.
- (c) Notices of public hearings, accusations and statements of issues in connection with any application, qualification, registration, order, permit, certificate, license, consent or other authority; proposed decisions of hearing officers and decisions of the Commissioner; the transcripts of such proceedings; and correspondence between the parties and the Commissioner directly relating thereto.
- (d) Public notices in connection with the adoption, amendment or repeal of regulations of the Commissioner; the transcript of such proceedings; and correspondence with the public directly relating thereto, including comments received from the public.
- (e) Releases, newsletters and, subject to the provisions of Section 250.12, interpretive opinions and the correspondence relating thereto.

## **Charges for Copies of Documents**

The following charges shall be made for copies and telecopies of documents furnished by the Commissioner and for certification thereof. See Rule 260.617:

- (a) Two dollars for each certificate under seal affixed thereto, plus 30 cents for each page or fraction thereof to be certified, whether the copies to be certified are furnished by the person requesting the certification or by the Commissioner.
- (b) Thirty cents for each page or fraction thereof when the copies are not to be certified.

- (c) One dollar for each page or fraction thereof when the copies are sent by telephone transceiving equipment.

### **Fees for Publications**

Publications issued by the Commissioner shall be available for the charges set forth below, except that these charges shall not apply to other governmental agencies. See Rule 260.608.

- (a) Individual Copies. Individual copies of the releases, notices of rule changes and other publications of the Commissioner may be obtained upon request from any office of the Department. Mail requests should be directed to the Department of Corporations, 320 West 4th Street, Suite 750, Los Angeles, CA 90013-2344. No charge is made for individual copies of current publications. The charge for items which are not current is the regular charge for copy work, as set forth under "Charges for Copies of Documents."
- (b) Mailing Lists. Persons wishing to be placed on one of more of the Department's mailing lists to receive releases, notices of rule changes and other publications of the Commissioner are charged an annual fee per list, as set forth below. Requests to be placed on a mailing list should be directed to the Department of Corporations, 320 West 4th Street, Suite 750, Los Angeles, California 90013-2344.
  - (1) California Finance Lenders Law (LL) (\$4.00)
  - (2) California Residential Mortgage Lending Act (ML) (\$4.00)
  - (3) Capital Access Company Law (CA) (\$4.00)
  - (4) Check Sellers, Billers and Proraters Law (CC) (\$1.00)
  - (5) Corporate Securities Law and Commodity Law (CS) (\$10.00)
  - (6) Escrow Law (ES) (\$2.00)
  - (7) Franchise Investment Law (FR) (\$2.00)
  - (8) General Mailing List (\$27.00) includes items (1) through (7).
- (c) Forms. As a convenience to attorneys and other members of the public, forms prescribed by these rules may be obtained from any office of the Department. No charge will be made in connection with any single request for not more than two copies of any form which are picked up at any office of the Department. The Department will, upon request, mail additional copies of any form or forms at cost, except that the minimum charge for any single order will be one dollar (\$1.00). Prices will include sales tax and postage. See Rule 260.617. Forms are also available on the Department's web site at [www.corp.ca.gov](http://www.corp.ca.gov).